

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**CASE NO. 1:17CR00027**

**JOEL A. SMITHERS,  
Defendant**

**MOTION TO WITHDRAW  
AS COUNSEL FOR THE DEFENDANT**

Comes now counsel for the defendant, Nancy C. Dickenson, Assistant Federal Public Defender, and respectfully moves this Honorable Court for leave to withdraw as counsel. In support of the motion, counsel has determined that a conflict of interest exists relating to representation of another client which renders impossible effective representation of Mr. Smithers consistent with the ethical rules, including Virginia Rules of Professional Conduct 1.8(b) and 1.8(k).

WHEREFORE, it is requested that this Court allow the Office of the Federal Public Defender to withdraw from representation of the defendant and that substitute counsel be appointed to represent the defendant.

Respectfully submitted,  
  
s/Nancy C. Dickenson  
Assistant Federal Public Defender  
201 Abingdon Place  
Abingdon, VA 24211  
nancy\_dickenson@fd.org  
VSB No. 28120

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was electronically filed and will be forwarded to Kathleen Carnell, Special Assistant United States Attorney, this 21st day of May, 2018.

s/Nancy Dickenson